

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:03-cv-00311-MOC

ROBERT HOWARD DIXON,

Petitioner,

Vs.

R. DAVID MITCHELL, SUPT.,

Respondent.

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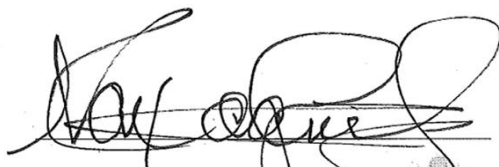
ORDER

THIS MATTER is before the court on a letter dated September 23, 2013, in which plaintiff seeks assistance in obtaining a copy of his 1991 state court trial transcript. Review of the pleadings in this matter reveals that petitioner has already filed a Petition for Writ of Habeas Corpus, which was dismissed by this court on February 17, 2004, as time barred. Thus, this court can afford no relief to petitioner as he has no remedy in this court and the records of this court do not contain such transcript. To the extent petitioner is not affirmative seeking relief from this court, but is asking "if there is anything you can advise me of" (Letter at 1), petitioner is advised that some 22 years after his trial, it is likely that any records which may still exist are in the State Archives of North Carolina. That agency may be reached by writing to the Correspondence Unit of the State Archives, 4614 Mail Service Center, Raleigh, NC 27699-4614.

ORDER

IT IS, THEREFORE, ORDERED that petitioner's letter dated September 23, 2013, is deemed a Motion for Post-Judgment Relief in the form of production of a state-court transcript, and is **DENIED** as no remedy is available to petitioner in this court.

Signed: October 8, 2013



Max O. Cogburn Jr.
United States District Judge